
**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION**

PCG Publishing Group, LLC,

Plaintiff,

v.

**Reagan Lewis, Sada Lewis, Sean
Blasko, Melissa Blasko, Denise
Simmons, and Cheveux Roux, LLC,**

Defendants,

v.

**Chunky Jam, LLC, Camden
Hendrics, Peter Licalzi, and
Tommy Barros,**

Third-Party Defendants.

No. 5:17-cv-111-OLG

Opposed Motion for Entry of Scheduling Order

Defendants Reagan Lewis, Sada Lewis, Sean Blasko, Melissa Blasko, Denise Simmons, Cheveux Roux, LLC (together, Defendants) file this Opposed Motion for Entry of Scheduling Order. The parties conferred in a good-faith attempt to agree on a Joint Proposed Scheduling Order, but could not reach agreement.

Specifically, Plaintiff and Third-Party Defendants prefer an expedited discovery schedule in order to avoid any delay. As a practical matter, having recently concluded a 45-day stay, this litigation has only just begun. Some parties have exchanged initial discovery requests, and although Defendants have produced responsive documents, Plaintiff and Third-Party Defendants have not yet done so. This case concerns over a dozen claims and counterclaims asserted among several groups of litigants. Between the parties and the identified non-party witnesses, discovery could potentially include substantial third-party discovery in several jurisdictions, dozens of depositions, and multiple experts for each group of aligned parties.

Defendants therefore propose a scheduling order based upon a trial date in early November 2018, which would permit 12 months of discovery, whereas Plaintiff and Third-Party Defendants have proposed a scheduling order based upon a trial date in early May 2018, that would permit six months of discovery. Defendants object to the proposed scheduling order of Plaintiff and Third-Party Defendants as impractical and unnecessarily burdensome, preventing adequate time for review of document productions and preparation for depositions, and prejudicing the preparation of expert disclosures and reports. For these reasons, Defendants respectfully request that the Court enter the following proposed scheduling order:

1. The parties will file a report on alternative dispute resolution in compliance with Local Rule CV-88 by **Friday, March 30, 2018**. REGARDLESS OF WHETHER THE PARTIES CONCLUDE THAT ADR IS APPROPRIATE OR NOT, THE PARTIES WILL INCLUDE THE NAME, ADDRESS, AND TELEPHONE NUMBER OF A COURT-APPROVED MEDIATOR OR A MEDIATOR AGREED UPON BY ALL PARTIES IN THEIR ADR REPORT. A list of court-approved neutrals and alternative dispute resolution summary form may be obtained at <http://www.txwd.uscourts.gov/ProgServ/SitePages/Mediator.aspx>. If you do not have access to the internet, you may call the United States District Clerk's office at (210) 472-6550 to obtain a copy.

2. The parties asserting claims for relief will submit a written offer of settlement to opposing parties by **Friday, May 18, 2018**, and each opposing party will respond, in writing, by **Friday, June 1 2018**.

3. The parties will file all motions to amend or supplement pleadings or to join additional parties by **Friday, April 20, 2018**.

4. All parties asserting claims for relief will FILE their designation of testifying experts and SERVE on all parties, but not file, the materials required by Federal Rule of Civil Procedure 26(a)(2)(B) by **Friday, May 18, 2018**. Parties resisting claims for relief will FILE their designation of testifying experts and SERVE on all parties, but not file, the materials required by Federal Rule of Civil Procedure 26(a)(2)(B) by **Friday, June 22, 2018**. The parties will FILE all designations of rebuttal experts, and will SERVE on all parties, but not file, the materials required by Federal Rule of Civil Procedure 26(a)(2)(B) for such rebuttal experts, within 30 days of receipt of the report of the opposing expert.

5. Parties will make any objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 by motion, specifically stating the basis

for the objection and identifying the objectionable testimony, within 30 days of receipt of the written report of the expert's proposed testimony, or within 30 days of the expert's deposition, if a deposition is taken, whichever is later.

6. The parties will complete all discovery on or before **Friday, July 20, 2018**. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

7. The parties will file all dispositive motions no later than **Friday, August 3, 2018**. Dispositive motions as defined in Local Rule CV-7(h) and responses to dispositive motions are limited to 20 pages in length.

8. The parties will mediate this case on or before **Friday, August 10, 2018**, unless the parties seek an order from the Court excusing them from mediation.

9. This case is set for **pretrial conference on Wednesday, November 7, 2018 at 9:30 a.m. The parties should consult Local Rule CV-16(e) regarding matters to be filed in advance of a pretrial conference and trial.**

10. This case is set for **jury selection and trial on Monday, November 12, 2018 at 9:30 a.m.**

Respectfully Submitted,

JEFFERSON CANO
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Date: July 20, 2017

/s/ Lamont Jefferson

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Certificate of Service

I hereby certify that on the 20th day of July, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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PCG Publishing Group, LLC, Chunky
Jam, LLC, Camden Hendrics, Peter
Licalzi, and Tommy Barros


/s/

Alex More

Certificate of Conference

Pursuant to LR CV-7(i) I hereby certify that the parties conferred in a good-faith attempt to agree on a Joint Proposed Scheduling Order, but could not reach agreement for the specific reasons explained above.


/s/

Alex More